



PUBLIC NOTICE

Federal Communications Commission
445 12th Street, S.W.
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OCT 12 12 09 AM '05
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DA 05-2658

Released: October 5, 2005

DOMESTIC SECTION 214 APPLICATION FILED FOR ACQUISITION OF ASSETS OF AMERICAN FARM BUREAU, INC., TO IBFA ACQUISITION COMPANY, LLC, D/B/A FARM BUREAU CONNECTION

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 05-272

Comments Due: October 19, 2005

Reply Comments Due: October 26, 2005

On September 2, 2005, IBFA Acquisition Company, LLC, d/b/a Farm Bureau Connection ("IBFA") and American Farm Bureau, Inc. ("AFB") (together "Applicants"), filed an application, pursuant to section 63.04 of the Commission's rules,¹ requesting approval to enable IBFA to acquire certain telecommunications assets, including the subscriber base, of AFB.²

Applicants assert that this transaction is entitled to presumptive streamlined treatment under section 63.03(b)(2)(i) of the Commission's rules because the proposed transaction will result in: (1) IBFA having less than a 10 percent market share in the interstate, interexchange marketplace; (2) IBFA providing competitive telephone exchange services or exchange access services exclusively in geographic areas served by a dominant local carrier that is not a party to the proposed transaction; and (3) neither of the Applicants is dominant with respect to any service.³

AFB, an Illinois corporation, is authorized to provide domestic interstate and international telecommunications service. AFB also has authority to provide intrastate, interexchange telecommunications services in 39 states and is authorized to provide competitive

¹ 47 C.F.R. § 63.04; *see* 47 U.S.C. § 214.

² Any action on this domestic section 214 application is without prejudice to Commission action on other related, pending applications. Applicants filed two amendments to their application on September 30, 2005 and October 3, 2005.

³ 47 C.F.R. § 63.03(b)(2)(i).

local exchange services in 13 states. Subject to regulatory approval, and in connection with the proposed transaction AFB is voluntarily terminating its authorizations to provide telecommunications services.

IBFA, a Michigan limited liability company, is authorized to provide domestic interstate and international telecommunications service. IBFA is also currently authorized to provide intrastate, interexchange telecommunications services in 36 jurisdictions, with local exchange authority in six of those states. IBFA is not currently providing telecommunications services in any jurisdiction. The following people, all U.S. citizens, own a ten percent or greater interest in IBFA: Casimir Wojciechowski (50%); James Grabowski (25%); and Kathleen Grabowski (25%). No other person or entity, either directly or indirectly, owns ten percent or more of the equity of IBFA.

Applicants entered into an Asset Purchase Agreement whereby IBFA will acquire AFB's entire local and long distance customer base. As a result of the proposed transaction, IBFA will become the local exchange and long distance provider of the transferred customer base and AFB will cease providing local exchange and long distance services.

The Applicants assert that the proposed transaction is in the public interest because there will be no interruption of service or inconvenience to the affected customers, and the affected customers will receive the same local service and long distance rates.

GENERAL INFORMATION

The transfer of control identified herein has been found, upon initial review, to be acceptable for filing as a streamlined application. The Commission reserves the right to return any transfer of control application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules and policies. Pursuant to sections 1.415 and 1.419 of the Commission's rules, 47 CFR §§ 1.415, 1.419, interested parties may file **comments on or before October 19, 2005 and reply comments on or before October 26, 2005.**⁴ Unless otherwise notified by the Commission, Applicants are permitted to transfer the assets and related control on the 31st day after the date of this notice.⁵ Comments may be filed using: (1) the Commission's Electronic Comment Filing System (ECFS), (2) the Federal Government's eRulemaking Portal, or (3) by filing paper copies. *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- **Electronic Filers:** Comments may be filed electronically using the Internet by accessing the ECFS: <http://www.fcc.gov/cgb/ecfs/> or the Federal eRulemaking Portal: <http://www.regulations.gov>. Filers should follow the instructions provided on the website for submitting comments.

⁴ See 47 C.F.R. § 63.03(a).

⁵ Such authorization is conditioned upon receipt of any other necessary approvals from the Commission in connection with the proposed transaction.

- For ECFS filers, if multiple docket or rulemaking numbers appear in the caption of this proceeding, filers must transmit one electronic copy of the comments for each docket or rulemaking number referenced in the caption. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions, filers should send an e-mail to ecfs@fcc.gov, and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.
- Paper Filers: Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class, Express, and Priority mail should be addressed to 445 12th Street, S.W., Washington D.C. 20554.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

You may submit comments, identified by the above noted docket number, by any of the following methods:

- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.
- Federal Communications Commission's Web Site: <http://www.fcc.gov/cgb/ecfs/>. Follow the instructions for submitting comments.
- People with Disabilities: Contact the FCC to request reasonable accommodations (accessible format documents, sign language interpreters, CART, etc.) by e-mail: FCC504@fcc.gov or phone: 202-418-0530 or TTY: 202-418-0432.

In addition, one copy of each pleading must be sent to each of the following:

- (1) The Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, www.bcpiweb.com; phone: (202) 488-5300 fax: (202) 488-5563;
- (2) Tracey Wilson-Parker, Competition Policy Division, Wireline Competition Bureau, 445 12th Street, S.W., Room 5-C212, Washington, D.C. 20554; email: tracey.wilson-parker@fcc.gov;
- (3) Adam Kirschenbaum, Competition Policy Division, Wireline Competition Bureau, 445 12th Street, S.W., Room 5-C211, Washington, D.C. 20554; e-mail: adam.kirschenbaum@fcc.gov;
- (4) Renée R. Crittendon, Competition Policy Division, Wireline Competition Bureau, 445 12th Street, S.W., Room 5-C311, Washington, D.C. 20554; e-mail: renee.crittendon@fcc.gov;
- (5) Susan O'Connell, Policy Division, International Bureau, 445 12th Street, S.W., Room 7-B544, Washington, D.C. 20554; email: susan.o'connell@fcc.gov; and
- (6) James Bird, Office of General Counsel, 445 12th Street, S.W., Room 8-C824, Washington, D.C. 20554; e-mail: james.bird@fcc.gov.

Filings and comments are also available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C., 20554. They may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, telephone: (202) 488-5300, fax: (202) 488-5563, or via e-mail www.bcpiweb.com.

For further information, please contact Tracey Wilson-Parker at (202) 418-1394, or Adam Kirschenbaum at (202) 418-7280.

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